

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1801.2.C.4 (201.1) to permit a sideyard setback of 3' in lieu of the required 6' for construction of open carport.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

This location is the best and most feasible for the above improvement. A concrete drive pad was built with the house with the understanding that a carport could be added later. To improve the appearance of the house

MAP 24
SECTION 11
D. 11-11-79
TYP: V
BY: M

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Contract purchaser: Albert M. Scharmann, Paul M. Bomgardner, Christine Bomgardner, Legal Owner
Address: 9611 Trepid Road, Baltimore, Md. 21236
Petitioner's Attorney: _____
Protestant's Attorney: _____

ORDERED By The Zoning Commissioner of Baltimore County, this 3rd day of July, 1979, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 2th day of August, 1979, at 10:15 o'clock A.M.

(over)

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
S/S of Trepid Road 127.71' : OF BALTIMORE COUNTY
W of Silverage Road, 11th District
ALBERT SCHARMANN, et ux and : Case No. 80-37-A
PAUL BOMGARDNER, et ux, Petitioners

ORDER TO ENTER APPEARANCE

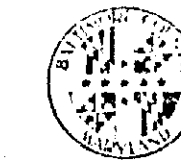
Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman, John W. Hessian, III
Deputy People's Counsel People's Counsel for Baltimore County
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 31st day of July, 1979, a copy of the foregoing Order was mailed to Mr. and Mrs. Albert Scharmann and Mr. and Mrs. Christine Bomgardner, 9611 Trepid Road, Baltimore, Maryland 21236, Petitioners.

John W. Hessian, III
John W. Hessian, III



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3391

WILLIAM E. HAMMOND
ZONING COMMISSIONER

August 30, 1979

Mr. Albert Scharmann
9611 Trepid Road
Baltimore, Maryland 21236

RE: Petition for Variance
S/S of Trepid Road, 127.71' W
of Silverage Road - 11th Election
District
Albert Scharmann, et al -
Petitioners
NO. 80-37-A (Item No. 238)

Dear Mr. Scharmann:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

cc: John W. Hessian, III, Esquire
People's Counsel

DESCRIPTION:

Beginning at a point on the south side of Trepid Road 127.71' west of Silverage Road and known as Lot 13 Block 1 as shown on the Amended Plat of "Silverpark Village" and recorded among the Land Records of Baltimore County in Plot book 40 Folio 138 - also known as 9611 Trepid Road.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond
Zoning Commissioner
TO: John D. Seyffert
FROM: Director of Planning
SUBJECT: Petition #80-37-A, Item #238

Petition for Variance for side yard setback
South side of Trepid Road 127.71 feet West of Silverage Road
Petitioner - Albert & Violet Schamann and Paul & Christine Bomgardner
11th District

HEARING: Thursday, August 9, 1979 (10:45 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

John D. Seyffert, Director
Office of Planning and Zoning

JDS:JGH:rw

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. & Mrs. Albert M. Scharmann
Mr. & Mrs. Paul M. Bomgardner
9611 Trepid Road
Baltimore, Maryland 21236

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 31st day of July, 1979.

WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner: Albert M. Scharmann et al
Petitioner's Attorney: _____

Reviewed by: Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 27, 1979

CITY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

cc: Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Online Administration
Industrial Development

Mr. & Mrs. Albert M. Scharmann
Mr. & Mrs. Paul M. Bomgardner
9611 Trepid Road
Baltimore, Maryland 21236

RE: Item No. 238
Petitioners - Albert M. Scharmann et al
Variance

Ladies & Gentlemen:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to suitability of the requested zoning.

This Variance is required because of your proposal to construct an open carport within 3 feet of the side property line in lieu of the required 6 feet. As you are aware an amendment to the development plan was required for your proposed construction. If this petition is granted, you should contact Mr. Gary Freund of our office at 494-3391 in order to finalize the amendment procedure.

Enclosed are all comments submitted from the Committee to this office. The remaining members felt that no comment was warranted. This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held no less than 30 nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:hk

Enclosure

ORDER RECEIVED FOR FILING
DATE August 30, 1979
BY [Signature]

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s), the Variance(s) should be had; and it further appearing that by reason of the granting of the Variance(s) requested not adversely affecting the health, safety, and general welfare of the community, the Variance(s) should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 30th day of August, 1979, that the herein Petition for Variances to permit a side yard setback of 3 feet in lieu of the required 6 feet for an open carport, inclusive of the enclosed storage area indicated on the site plan submitted with this Petition, should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

Deputy Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship, the Variance(s) should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for the Variance(s) to permit _____

Zoning Commissioner of Baltimore County



baltimore county
department of public works
TOWSON, MARYLAND 21204

THORNTON M. MOURING, P.E.
DIRECTOR

July 6, 1979

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #238 (1978-1979)
Property Owner: Albert M. Scharmann, et al
S/S Trepid Rd. 127.71' W. Silverage Rd.
Existing Zoning: DR 3.5
Proposed Zoning: Variance to permit a side setback of 3' in lieu of the required 6' for an open carport.
Acres: 0.1768 District: 11th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utility improvements are not directly involved and are as secured by Public Works Agreement 117505, executed in conjunction with the development of Silverpark Village, of which this property is Lot 13, Block "A" Amended Plat Silverpark Village, recorded E.H.K., Jr. 40, Folio 138.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 238 (1978-1979).

Very truly yours,

[Signature]
ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss

Q-SW Key Sheet
45 NE 28 Pos. Sheet
NE 12 G Topo
63 Tax Map



baltimore county
office of planning and zoning
TOWSON, MARYLAND 21204
(301) 494-3211

LESUE H. GRAEF
DIRECTOR

July 31, 1979

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #238, Zoning Advisory Committee Meeting, May 22, 1979, are as follows:

Property Owner: Albert M. Scharmann, et al
Location: S/S Trepid Road 127.71' W. Silverage Road
Existing Zoning: D.R.3.5
Proposed Zoning: Variance to permit a side setback of 3' in lieu of the required 6' for an open carport
Acres: 0.1768
District: 11th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

[Signature]
John L. Wimbley
Planner III
Current Planning and Development



baltimore county
department of traffic engineering
TOWSON, MARYLAND 21204
(301) 494-3550

STEPHEN E. COLLINS
DIRECTOR

July 11, 1979

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

This department has no comments about item numbers 234, 237, 238, 239, and 240.

Very truly yours,

[Signature]
Michael S. Flahigan
Engineer Associate II

MSF/mjm



baltimore county
department of health
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

June 26, 1979

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item # 238, Zoning Advisory Committee meeting of May 22, 1979, are as follows:

Property Owner: Albert M. Scharmann, et al
Location: S/S Trepid Rd. 127.71' W Silverage Rd.
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a side setback of 3' in lieu of the required 6' for an open carport
Acres: 0.1768
District: 11

Metropolitan water and sewer exist, therefore the proposed carport should not pose any health hazards.

Very truly yours,

[Signature]
Ian J. Forreast
Director
BUREAU OF ENVIRONMENTAL SERVICES

LJF/JRP:phg



baltimore county
department of permits and licenses
TOWSON, MARYLAND 21204
(301) 494-3610

JOHN D. SEYFFERT
DIRECTOR

May 18, 1979

Mr. S. Eric DiNenna, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item # 238 Zoning Advisory Committee Meeting, May 22, 1979 are as follows:

Property Owner: Albert M. Scharmann, et al
Location: S/S Trepid Road 127.71' W Silverage Road
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a side setback of 3' in lieu of the required 6' for and open carport.

Acres: 0.1768
District: 11th

The items checked below are applicable:

X A. Structure shall conform to Baltimore County Building Code (B.C.C.A.) 1970 Edition and the 1971 Supplement, and other applicable codes.

X B. A building permit shall be required before construction can begin.

C. Additional _____ permits shall be required.

D. Building shall be upgraded to new use - requires a variation permit.

E. Three sets of construction drawings will be required to file an application for a building permit.

F. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.

X G. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.

H. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____

I. No Comment.

X J. Comments: Wood frame construction is required to be of 1 hour fire rated design when located more than three feet but less than 6'0 from an interior property line. Please consult with the Building Department if there is any questions.

Very truly yours,

[Signature]
Charles E. Burnham
Plans Review Chief

CEB:rrj

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
Date: June 14, 1979

FROM: Lt. Thomas Kelly
Fire Prevention Bureau

SUBJECT: Zoning Advisory Committee Meeting of May 22, 1979

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

ITEM # 234 Property Owner: Douglas W. & Connie J. Largent
Location: SW/S Big Stone Ct. 109' SE Johnnycake Rd.
No Comments

ITEM # 235 Property Owner: Jay D. & Jeffrey B. Sherr
Location: NW/S Carroll Ave. 385' SW Wilbur Ave.
No Comments

ITEM # 238 Property Owner: Albert M. Scharmann, et al
Location: S/S Trepid Rd. 127.71' W Silverage Rd.
No Comments

ITEM # 239 Property Owner: Michael T. & Mary T. Lynch
Location: W/S Pfeffers Rd. 782' S Bradshaw Rd.
No Comments

ITEM # 240 Property Owner: Charles M. & Linda M. Boblitz
Location: W/S St. Georges Rd. 900' S Middleborough Rd.
No Comments

BOARD OF EDUCATION
OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: May 18, 1979

Mr. S. Eric DiNenna
Zoning Commissioner
Baltimore County Office Building
Towson, Maryland 21204

Z.A.C. Meeting of: May 22, 1979

RE: Item No: 234, 235, 236, 237, 238, 239, 240
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. DiNenna:

All of the above have no bearing on student population.

Very truly yours,

[Signature]
W. Nick Petrovich,
Field Representative

WNP/bp

JOSEPH H. MCGOWAN, PRESIDENT
T. DAYARD WILLIAMS, JR., VICE-PRESIDENT
MARCUS M. BOWMAN

THOMAS H. BOYER
MRS. LOURAINA E. CHODUS
ROGER E. HAYDEN

ALVIN LURECK
MRS. ALTON H. SMITH, JR.
RICHARD W. YACEY, P.V.M.

ROBERT V. DUFFAL, SUPERINTENDENT

NOV 07 1979

